

Serial No. 47403

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV--7-1983 New Priority Date ~~NOV 19 1983~~ JAN 25 1991

Returned to applicant for correction DEC 29 1983

Corrected application filed Map filed JAN 16 1984 under 47401

The applicant J. Chester Young

Route 2 Box 5 of Austin
Street and No. or P.O. Box No. City or Town

Nevada 89310 hereby make S. application for permission to change the
State and Zip Code No.

Place of Use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under 34445
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Kingston (AKN Big Smokey) Creek and Tributaries.
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 2.63 cfs, 525.96 AF.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation, Stockwatering and Domestic as Decreed.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation, Stockwatering and Domestic as Decreed.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 35 T. 16 N., R. 43 E. MDB&M.
Describe as being within a 40-acre subdivision of public survey and by course and
at a point from which the NE corner of said Section 35 Bears N78 $^{\circ}$ 22' E.
distance to a section corner. If on unsurveyed land, it should be stated.
2680 feet.
6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 35 T. 16 N., R. 43 E. MDB&M.
If point of diversion is not changed, do not answer.
at a point from which the NE corner of Said Section 35 Bears N. 78 $^{\circ}$ -22' E.
2680 feet.
7. Proposed place of use SE $\frac{1}{4}$ of NW $\frac{1}{4}$; E $\frac{1}{2}$ of SW $\frac{1}{4}$; S $\frac{1}{2}$ of NE $\frac{1}{4}$; and SE $\frac{1}{4}$ Sec. 2; SW $\frac{1}{4}$ of NW $\frac{1}{4}$;
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
and W $\frac{1}{2}$ of SW $\frac{1}{4}$ Sec. 1; NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 12; NE $\frac{1}{4}$ of NW $\frac{1}{4}$; N $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 11
all in T. 15 N., R. 44 E. MDB&M.
Sec. 24 T. 16 N., R. 44 E. MDB&M. Priority 1882 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 23.03 ac.,
8. Existing place of use SE $\frac{1}{4}$ NW $\frac{1}{4}$ 34.11 ac., SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.83 ac., NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.00 ac.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 38.43 ac., NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9.09 ac., TOTAL 131.49
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from 1 January to 31 December of each year.
Month and Day Month and Day as decreed
10. Use was permitted from 1 January to 31 December of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) headworks, pipeline, reservoir and irrigation
State manner in which water is to be diverted, i.e. diversion structure, ditches,
system
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$50,000.00
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Application is to change the Place of Use of Permit No. 34445. Water is
under the Kingston Decree Certificate No. 367

By s/ Claude E. Hunter
Claude E. Hunter, Agent
P.O. Box 124
Reno, Nevada 89504

Compared br/js js/bc

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of Kingston (aka Big Smoky) Creek and Tributaries as heretofore granted under Permit 34445 is issued subject to the terms and conditions imposed in said Permit 34445 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The total combined duty of water under Permits 47401, 47402 and 47403 shall not exceed 1921.32 acre-feet as decreed.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total acreage under Permits 47401, 47402 and 47403 is limited to 480.33 acres within the described place of use.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.63 cubic feet per second, but not to exceed 525.96 acre-feet as decreed, but not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before October 23, 1987

Proof of completion of work shall be filed before November 23, 1987

Application of water to beneficial use shall be made on or before October 23, 1990

Proof of the application of water to beneficial use shall be filed on or before November 23, 1990

Map in support of proof of beneficial use shall be filed on or before November 23, 1990

Completion of work filed MAY 25 1989

IN TESTIMONY WHEREOF, I PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed

my office, this 23rd day of October,

Cultural map filed

A.D. 19 85

Certificate No. Issued

2407 (Rev. 6-81)

Peter G. Morros
State Engineer

FEB 3 1989

CANCELLED
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
Peter G. Morros
STATE ENGINEER
Can rescinded 5/25/89

CANCELLED JAN 15 1991
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
Peter G. Morros
STATE ENGINEER
can rescinded 10-15-91

CANCELLED JUL 22 1993
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
Richard J. Jorgensen
STATE ENGINEER